

GM Ignition Compensation
Claims Resolution Facility

FREQUENTLY ASKED QUESTIONS

June 30, 2014

GM Ignition Compensation Claims Resolution Facility Frequently Asked Questions (“FAQs”)

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Section 1. General Information

1.1 What is the GM Ignition Compensation Claims Resolution Facility?

The GM Ignition Compensation Claims Resolution Facility (the “Facility”) was created to settle claims alleging that a defect in the ignition switch in certain GM vehicles (the “Ignition Switch Defect”) caused a death or physical injury in an automobile accident. The Facility is intended to be a prompt and fair alternative to litigation. The Facility is entirely voluntary. No individual is required by law or regulation to participate in the Facility.

1.2 Who is the Administrator of the Facility?

Kenneth R. Feinberg is the neutral, independent Administrator of the Facility (the “Administrator”). Mr. Feinberg was hired to develop and design a Protocol for the submission, evaluation and settlement of death and physical injury claims allegedly resulting from the Ignition Switch Defect.

Mr. Feinberg designed and administered The September 11th Victim Compensation Fund of 2001, the Virginia Tech Hokie Spirit Memorial Fund, The Gulf Coast Claims Facility related to the Deepwater Horizon oil spill in 2010, and The One Fund Boston 2013 Victim Relief Fund, among others.

1.3 Who May File a Claim?

To be eligible to file a claim under the Facility you must meet the following criteria:

You must have been a driver, passenger, pedestrian or an occupant of another vehicle involved in an accident resulting in physical injury or death due to the Ignition Switch Defect involving one of the following categories of vehicles (“Eligible Vehicle”):

Production Part Vehicles

Vehicles in which the ignition switch **was not replaced** prior to the accident include only the following models:

- Chevrolet Cobalt (Model Years 2005-2007)
- Chevrolet HHR (Model Years 2006-2007)
- Daewoo G2X (Model Year 2007)
- Opel/Vauxhall GT (Model Year 2007)
- Pontiac G4 (Model Years 2005-2006)
- Pontiac G5 (Model Year 2007)
- Pontiac Pursuit (Model Years 2005-2006)
- Pontiac Solstice (Model Years 2006-2007)
- Saturn Ion (Model Years 2003-2007)

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- Saturn Sky (Model Year 2007)

Service Part Vehicles

Vehicles in which the ignition switch was replaced prior to the accident with an ignition switch bearing the Part No. 10392423; AND the accident in question occurred **after** such replacement. The Service Part Vehicles include only the following models:

- Chevrolet Cobalt (Model Years 2008-2010)
- Chevrolet HHR (Model Years 2008-2011)
- Daewoo G2X (Model Years 2008-2009)
- Opel/Vauxhall GT (Model Years 2008-2010)
- Pontiac G5 (Model Years 2008-2010)
- Pontiac Solstice (Model Years 2008-2010)
- Saturn Sky (Model Years 2008-2010)

Section 2. How to File a Claim

2.1 I Already Submitted a Claim to GM. What Should I Do?

You will still be required to submit a Claim Form to the Facility, however, all documentation you may have previously submitted to GM in support of a death or physical injury claim allegedly resulting from the Ignition Switch Defect will be transferred to the Facility consistent with the terms of the Protocol. If you have additional supporting documentation, you should submit such documentation with your Claim Form.

2.2 Will Filing a Claim Cost Money?

No. There is no fee associated with filing a claim with the Facility. You may, however, incur fees from professionals such as accountants and lawyers should you choose to engage their services. The Facility will not pay for or reimburse you for such fees.

2.3 How Can I Obtain a Claim Form?

Claim Forms will be available beginning **August 1, 2014**. Once available, copies of the Claim Form may be obtained in the following ways: Note: Only one Claim Form per individual should be submitted.

1. Beginning **August 1, 2014**, you may download a copy of the Claim Form through the Facility's website at **www.GMIgnitionCompensation.com**.
2. You may call the Facility Administrator at the toll-free number (***available August 1, 2014***) and request a copy of the Claim Form be sent to you.

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3. You may email the Facility’s Claimant Services email address (*available August 1, 2014*) to request a copy of the Claim Form.

2.4 Where Should I Send My Claim?

Claim Forms should be submitted either electronically through the Facility website at www.GMIgnitionCompensation.com (*available August 1, 2014*), or by mailing your completed Claim Form and required supporting documentation to:

Administrator
GM Ignition Compensation Claims Resolution Facility
PO Box 10091
Dublin, OH 43017-6691

2.5 What are the Deadlines for Filing a Claim?

The Claim Form submission period begins on ***August 1, 2014***. All claims must be postmarked or submitted electronically through the Facility’s website by ***December 31, 2014***.

2.6 Will My Information be Kept Confidential?

The Administrator will keep your information confidential.

2.7 Are Claim Materials Available in Languages Other than English?

The Facility website, Protocol, Claim Form and Frequently Asked Questions will be made available in English, Spanish, and French (Canadian) (*available August 1, 2014*).

2.8 Is There Someone to Help Me Who Speaks a Language Other than English?

Representatives who speak English, Spanish, and French (Canadian) will be made available upon request.

2.9 What if I Have Questions about the Claim Form or the Claim Submission Process?

You can contact the Administrator by either sending your message/question via email to the Claimant Services email address (*available August 1, 2014*) or by calling the toll free telephone number (*available August 1, 2014*).

2.10 How Will I Know if My Claim is Missing Information or Documents?

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You will be notified of any deficiency in your documentation or any missing required documentation once you have submitted your Claim Form. You will be able to review the status of your claim and any documentation deficiencies when you access your claim online. Once you have filed your Claim Form with the Facility, you will be issued a unique claimant identification number which will allow you to access the online system. You will then be prompted to create your own unique password which will allow you to check the status of your claim. **Please ensure that your full name, address, and Social Security Number, National Identification Number or other applicable Tax Identification Number appear on every communication submitted to the Facility.**

2.11 Will I be Able to Check the Status of My Claim?

Once you file a claim, you will immediately be provided with a unique Claimant Identification Number. You will use that identification number to log into the system and create your unique password which will allow you to track the status of your claim.

2.12 How Can I Update or Supplement My Claim Form?

If you would like to supplement your submission or correct or remedy a deficiency with your submission, you may submit that information electronically via the Facility Website by emailing the Claimant Services email address (*available August 1, 2014*). You may also send this documentation via mail, Canada Post or courier service. (All supplemental documentation should include your unique Claimant Identification Number issued to you at the time of the filing of your claim.) **Please ensure that your full name, address, and Social Security Number, National Identification Number or other applicable Tax Identification Number appears on every communication submitted to the Facility.**

Section 3. Eligibility

3.1 Who is Eligible for Compensation Under the Facility?

To be eligible to make a claim under the Facility you must meet the following criteria:

You must have been a driver, passenger, pedestrian or an occupant of another vehicle involved in an accident resulting in physical injury or death due to the Ignition Switch Defect involving one of the following categories of vehicles (“Eligible Vehicle”):

Production Part Vehicles

Vehicles in which the ignition switch **was not replaced** prior to the accident include only the following models:

- Chevrolet Cobalt (Model Years 2005-2007)
- Chevrolet HHR (Model Years 2006-2007)
- Daewoo G2X (Model Year 2007)
- Opel/Vauxhall GT (Model Year 2007)

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- Pontiac G4 (Model Years 2005-2006)
- Pontiac G5 (Model Year 2007)
- Pontiac Pursuit (Model Years 2005-2006)
- Pontiac Solstice (Model Years 2006-2007)
- Saturn Ion (Model Years 2003-2007)
- Saturn Sky (Model Year 2007)

Service Part Vehicles

Vehicles in which the ignition switch was replaced prior to the accident with an ignition switch bearing Part No. 10392423; AND the accident in question occurred **after** such replacement. The Service Part Vehicles include only the following models:

- Chevrolet Cobalt (Model Years 2008-2010)
- Chevrolet HHR (Model Years 2008-2011)
- Daewoo G2X (Model Years 2008-2009)
- Opel/Vauxhall GT (Model Years 2008-2010)
- Pontiac G5 (Model Years 2008-2010)
- Pontiac Solstice (Model Years 2008-2010)
- Saturn Sky (Model Years 2008-2010)

3.2 Will Claims for Property Damage be Eligible for Compensation?

No. Claims for property damage are not eligible for compensation under this Facility.

3.3 Can I Submit a Claim for Emotional or Psychological Injuries?

No. Claims for emotional and psychological injuries are not eligible for compensation under this Facility.

3.4 What Proof Will I Have to Submit to Receive Compensation From the Facility?

In order to be determined an Eligible Claimant, you will be required to submit documentation to show that the Ignition Switch Defect in an Eligible Vehicle was the proximate cause of the accident causing death or physical injury, e.g., an official police report, the Event Data Recorder (“EDR”) data captured by a vehicle’s computer, photographs, insurance claim and report of the accident, repair and warranty records, etc. Additional required supporting documentation will be clearly defined on the Claim Form **(available August 1, 2014)**.

3.5 Can a Lawyer or Other Person Represent an Eligible Claimant?

Yes. You may choose to be represented by a lawyer at your own expense. The lawyer must be identified on your Claim Form. If a lawyer is engaged later in the process, you must promptly notify the Facility

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Administrator of the engagement. If you are represented by a lawyer, you must provide to the Facility Administrator a signed Retention Agreement between you and your lawyer. **The Facility Administrator will communicate directly with such counsel instead of with you regarding all issues associated with your Claim.**

If the claimant is a minor, an incompetent adult, or deceased, an Authorized Representative of the claimant, such as the parent, legal guardian, legal representative, guardian ad litem or the equivalent as required by the law of the resident state or jurisdiction of the individual claimant may file the Claim Form. Proof of representative capacity is required. More detailed documentation requirements will be provided with the Claim Form *(available August 1, 2014)*.

3.6 Who Can File a Claim on Behalf of a Deceased Claimant?

You must be a legal heir or beneficiary of the decedent to file a claim on behalf of the decedent. Proof of representative capacity, such as marriage license, birth certificate, documentation of guardianship, etc. is required. If the deceased individual was married at the time of death, the spouse must sign this Claim Form. If the deceased individual was not married, the person legally responsible for administering the estate must sign the Claim Form. If the deceased individual was a minor, both parents must sign the Claim Form. If both signatures cannot be obtained, you will be asked to provide an explanation on the Claim Form.

3.7 Is an Attorney Required?

No. You do not need to hire an attorney to file a claim with the Facility.

3.8 Who Will Decide Whether My Claim is Eligible and How Much Money I Will Receive?

The Facility Administrator and his staff will review all Claim Forms, along with the supporting documentation provided, and will decide both the eligibility of the claim and the amount of compensation in accordance with the Protocol. A copy of the Protocol is available to the public on the Facility’s website at www.GMIgnitionCompensation.com.

3.9 Am I Still Eligible to Receive Money from the Facility if I Have Filed a Lawsuit?

Yes. You will not need to dismiss your lawsuit in order to file a claim with the Facility. But if you are satisfied with the Facility’s determination of your claim as to both eligibility and amount of the compensation, you will need to dismiss your lawsuit and provide evidence of the dismissal of your lawsuit before you can receive compensation from the Facility. Should your claim be paid through the Facility and you sign the form of Required Release, you will be giving up any rights you may have had in class proceedings pending in various jurisdictions in Canada and the United States alleging damages for defective ignition switches in certain GM vehicles.

3.10 What Rights Must I Give Up in Order to Receive Compensation From the Facility?

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Filing a Claim with the Facility **will not affect** any of the legal rights you currently have. If you elect to accept an offer of compensation from the Facility, you will be required to execute a release of all present, past, and future claims against GM and all other potential defendants arising out of the Ignition Switch Defect prior to receiving any money (a “Required Release”).

3.11 Am I Eligible to File a Claim if I Previously Settled My Claim with GM and Received Payment From that Settlement?

Yes. The Facility will take into account and offset any prior payments made by GM to individual claimants in connection with claims encompassed by this Protocol.

3.12 Will Any Fault or Negligence by the Driver Affect My Claim?

No. The Facility will not consider contributory negligence when evaluating claims.

3.13 What if the Eligible Vehicle was a Rental?

If the Claimant has a valid claim pursuant to the Protocol, it does not matter who owned the vehicle or whether it was a rental. The Claimant must provide the required documentation to indicate the vehicle is an Eligible Vehicle.

3.14 Are Claims from Insurance Companies Eligible for Payment?

Claims submitted by insurance companies seeking reimbursement for payments made to individual claimants are ineligible pursuant to this Protocol.

Section 4. Types of Eligible Claims

4.1 What Are the Types of Eligible Claims that the Facility Covers?

There are three categories of individual claims for physical injury or death which may be submitted pursuant to this Protocol. The following are the three categories:

1. Claims for Death
2. Category One Physical Injury Claims:

Physical injury claims involving quadriplegic injury, paraplegic injury, double amputation, permanent brain damage requiring continuous home medical assistance, and pervasive burns encompassing a substantial part of the body (“Category One Claims”).

3. Category Two Physical injury claims other than Category One Claims:

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Physical injury claims that required hospitalization within 48 hours after the accident, or in extraordinary circumstances as determined on a case by case basis by the Administrator, outpatient medical treatment within 48 hours after the accident (“Category Two Claims”).

4.2 What is the Methodology for the Calculation of a Death Claim?

Eligible Claimants submitting a Death Claim may elect to have their compensation calculated based on one of the following methods:

Track A: “Presumptive Compensation” -- The Track A claim is reviewed using national economic loss data compiled by multiple sources including the Bureau of Labor Statistics, the Internal Revenue Service including data on average life expectancy, growth rates in personal earnings, individual consumption rates as well as tax rates, and the Claimant’s historical earnings information. Claimants choosing the Presumptive Compensation path may generally expect to receive payment within 90 days after submission of the required materials set forth in the Claim Form.

Track B: “Complete Economic Analysis” -- Claimants opting for a Complete Economic Analysis will be required to present a complete, comprehensive, and detailed economic loss analysis of the decedent’s past, present, and future income, which will entail the submission of considerably more documentation. Payment subsequent to a Complete Economic Analysis will generally be made within 180 days after submission of the required materials set forth in the Claim Form.

4.3 What is the Methodology for the Calculation of a Category One Physical Injury Claim?

Eligible Claimants submitting a Category One Physical Injury Claim will have their compensation calculated in the same way as Individual Death Claims under Track A or Track B, as defined in Question 4.2 above, as voluntarily selected by the Eligible Claimant.

Claims submitted for a Category One Physical Injury will, in some cases, also require the calculation of a long-term life care plan along with the calculation of non-economic loss. If a Category One Claimant chooses the Track A methodology, the value of such a long term life-care plan will be presumed to be the present value of the national average of such long term life-care plans, which includes consideration of costs associated with home assistance, therapy and transportation, medical care, medications, equipment and supplies, home modifications, etc.

4.4 What is the Methodology for the Calculation of a Category Two Physical Injury Claim?

A. Eligible Claimants who were physically injured and hospitalized within 48 hours of the accident for one or more nights as a result of the accident will receive compensation based upon the following categories:

- Hospitalization of no less than 32 overnights: \$500,000.00
- Hospitalization of 24 to 31 overnights: \$385,000.00
- Hospitalization of 16 to 23 overnights: \$260,000.00

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- Hospitalization of 8 to 15 overnights: \$170,000.00
- Hospitalization of 2 to 7 overnights: \$ 70,000.00
- Hospitalization of 1 overnight: \$ 20,000.00

B. Eligible claimants who were physically injured, but were not hospitalized overnight because of extraordinary circumstances, will receive up to a maximum of \$20,000 for medical treatment resulting from the accident, if such treatment commenced within 48 hours of the accident. (This compensation encompasses both economic loss and non-economic loss.) Any subsequent overnight hospitalization of such eligible claimant for physical injuries as a result of the accident will be compensated according to the number of nights of hospitalization as outlined above for a Category Two Hospitalization claim. However, the total compensation will not exceed the maximum allocated amount of each hospitalization category shown above.

4.5 Are There Any Caps on the Amount of Payments That Will Be Made to Claimants?

There are no caps on payments to Eligible Claimants with the exception of the Category Two Claims as described in Question 4.4 above.

4.6 What Supporting Documentation Will I Be Required to Submit to Determine My Eligibility for Compensation from the Facility?

Detailed documentation requirements for all Claims will be provided with the Claim Form (*available August 1, 2014*).

4.7 How Will Valuation of Earnings be Determined for Minors or the Unemployed?

Assumptions of earnings potential equal to the average U.S. income will be made for minors without a wage history or for claimants who are unemployed.

4.8 What Does “Total Annual Compensation” Include?

Total annual compensation includes salary, wages, tips, health benefits or pension contributions, and any other types of remuneration paid by the claimant’s employer to the claimant.

4.9 Who Needs to be Notified of the Filing of a Death Claim?

A claimant filing a Death Claim on behalf of a decedent must submit a proposed Distribution Plan (the “Distribution Plan”) to the Administrator which details the proposed distribution of compensation among the decedent’s legal heirs and beneficiaries. The Administrator will distribute a copy of the Distribution Plan to all such legal heirs and beneficiaries, each of whom must consent to be bound by its terms and each of whom must execute a Required Release prior to the distribution of compensation under the Facility in accordance with the Distribution Plan. If any dispute exists over the terms of the Distribution Plan which cannot be resolved by the parties, the Administrator will deposit the compensation award with the court in which the decedent’s estate is being probated.

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Section 5. Types of Eligible Vehicles and Required Documentation

5.1 Which Vehicles are Defined as Eligible Vehicles Under the Facility?

Eligible Vehicles are as follows:

- **Production Part Vehicles**

Vehicles in which the ignition switch **was not replaced** prior to the accident include only the following models:

- Chevrolet Cobalt (Model Years 2005-2007)
- Chevrolet HHR (Model Years 2006-2007)
- Daewoo G2X (Model Year 2007)
- Opel/Vauxhall GT (Model Year 2007)
- Pontiac G4 (Model Years 2005-2006)
- Pontiac G5 (Model Year 2007)
- Pontiac Pursuit (Model Years 2005-2006)
- Pontiac Solstice (Model Years 2006-2007)
- Saturn Ion (Model Years 2003-2007)
- Saturn Sky (Model Year 2007)

- **Service Part Vehicles**

Vehicles in which the ignition switch was replaced prior to the accident with an ignition switch bearing the Part No. 10392423; AND the accident in question occurred **after** such replacement. The Service Part Vehicles include only the following models:

- Chevrolet Cobalt (Model Years 2008-2010)
- Chevrolet HHR (Model Years 2008-2011)
- Daewoo G2X (Model Years 2008-2009)
- Opel/Vauxhall GT (Model Years 2008-2010)
- Pontiac G5 (Model Years 2008-2010)
- Pontiac Solstice (Model Years 2008-2010)
- Saturn Sky (Model Years 2008-2010)

5.2 What if My Vehicle is Not on This List?

If your vehicle is not one of the models and model year vehicles listed in Question No. 5.1, you are not eligible to file a claim with this Facility pursuant to this Protocol.

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5.3 What is the Difference Between “Production Part” and “Service Part” Vehicles?

Production part vehicles had defective ignition switches installed at the time of manufacture. Service Part Vehicles did not have defective ignition switches installed during manufacture. Certain Service Part Vehicles may have had defective ignition switches (Part No. 10392423) installed by a dealer or independent service center after manufacture in connection with a repair.

5.4 How Can I Tell if Part No. 10392423 was Installed on My Vehicle?

All Service Part Vehicles require proof of this installation. A repair log or receipt from a dealer or independent service center may show this installation.

5.5 What is the EDR Data?

The Event Data Recorder (“EDR”) is the automobile’s computer recording device which captures data immediately before and during a crash event. If you have been provided the report from the automobile’s Event Data Recorder sometimes referred to as “Black Box” or SDM data, you should submit this data to the Facility Administrator when you submit your claim. This information will assist in the determination of the Claim.

Section 6. Payment of Claims

6.1 What Happens after a Claim is Filed?

Once your Claim Form and supporting documentation are received, the Administrator will process your claim promptly. Claims are reviewed by the Administrator on a rolling basis. You will receive written notice **by Mail and/or by email** regarding any action taken on your claim, including the determination of your claim, notification of deficiencies in documentation and requests for additional documentation.

6.2 Will Any Deductions be Made from the Amount Awarded?

The Administrator will deduct from a claimant’s award all amounts previously paid by GM to the claimant in connection with an Eligible Claim.

6.3 What Papers Must be Signed Before Receipt of Payment?

Upon determination of your claim, the Administrator will send you written notice of your Claim Determination, along with a form of Required Release that must be signed by you or by the Legal Representative submitting the Claim. ***The Required Release provides for the release of all past, present and future claims against GM and all other potential defendants and other related parties***

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concerning the Ignition Switch Defect. All Claimants are required to sign this Required Release before payment can be issued.

In connection with a Death Claim, the decedent’s legal heirs and beneficiaries must also sign the Required Release prior to distribution of compensation. For claims for deceased, the Legal Representative will be responsible for submitting a Proposed Distribution Plan to the Facility Administrator along with the Claim Form indicating how any compensation from the Facility would be allocated among the decedent’s heirs and beneficiaries consistent with the law of the decedent’s State or Province of domicile or any applicable ruling made by a court. If any dispute exists over the terms of a decedent’s Distribution Plan, the Administrator will deposit the compensation award with the court in which the decedent’s estate is being probated.

In connection with a claimant who is a minor child, both parents (if living) or the child’s legal guardian(s) must also execute the Required Release. In connection with a claim made by a married claimant, such claimant’s spouse must also execute the Required Release.

6.4 How Will Payments be Made?

Payments will be issued by the Facility following the final processing of an eligible claimant’s Claim Form. The Facility will authorize the payment, by check or electronic funds transfer to each eligible claimant upon receipt of the duly executed Required Release. Checks will be sent by overnight courier service.

6.5 Will My Overall Payment be Affected by My Outstanding Medical Liens?

No. In determining all payments pursuant to this Protocol, the Facility will take into account any outstanding medical liens, if any, currently owed by the claimant. The Facility will retain the services of a Lien Resolution Administrator to serve as an agent for the benefit of the settling claimants and to identify, resolve and satisfy, in accordance with federal law, all settling claimant repayment obligations related to payments associated with this Facility including, but not limited to, Medicare Parts A and B, Medicaid and commercial or private health care liens.